

IN JOINT SESSION.

A summing of the vote of the two Houses showed that Mr. Mills had received 123 votes; Mr. Bailey 4 votes; Mr. Chilton 3 votes; Mr. Gibbs 2 votes; Mr. Culberson 1 vote; Mr. Jones 1 vote; Mr. Sayers 1 vote.

The Speaker then announced that Hon. Roger Q. Mills had received a majority of all the votes cast, and declared him legally and constitutionally elected United States Senator, to fill the vacancy in the Senate of the United States, caused by the resignation of Hon. John H. Reagan.

The Speaker then announced that the business of the joint session was concluded, and on motion of Senator Pope the honorable Senate retired to its chamber.

IN SENATE.

By consent Senator Pope sent up the following:

A bill to be entitled an act to prevent unlawful agreements and combinations in restraint of trade, and providing punishment therefor.

Read first time and referred to Judiciary committee No. 1.

On motion of Senator Stephens the Senate adjourned until 10 o'clock a. m., tomorrow.

TENTH DAY.

SENATE CHAMBER,
TWENTY-SECOND LEGISLATURE,
Austin, Thursday, March 24, 1892. }

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—31.

Atlee,

Lubbock,

Burney,
Clark,
Clemens,
Crane,
Carter,
Cranford,
Finch,
Frank,
Glasscock,
Garwood,
Harrison,
Ingram,
Johnson,
Kearby,
Kimbrough,

McKinney,
Mott,
O'Neal,
Potter,
Page,
Pope,
Seale,
Searcy,
Simkins,
Stephens,
Sims,
Tyler,
Townsend,
Weisiger.

Prayer by the chaplain, Dr. Smoot.

Pending the reading of the Journal on motion of Senator Burney, the further reading of the same was dispensed with.

The Chair signed in open Senate after its title had been read House bill No. 16, "An act to amend section 2 (a) of chapter 116, acts of the Twenty-second Legislature, entitled an act to provide for the issuance of certificates to teachers in the public schools of Texas, and prescribing their duties as such."

Approved April 28, 1891.

PETITIONS AND MEMORIALS.

Senator Burney presented a memorial from the Commercial Exchange of the city of San Antonio, against the passage of an alien land law.

Read first time and referred to Judiciary committee No. 1.

Also a memorial from the Board of Trade of the city of San Antonio, against the passage of the alien land law.

Read first time and referred to Judiciary committee No. 1.

BILLS AND RESOLUTIONS.

Senator Garwood introduced a bill to be entitled, "An act to organize and establish the Twenty-first Judicial District; to fix the times of holding court therein, and to repeal all laws and parts of laws in conflict therewith.

Read first time and referred to committee on Judicial Districts.

Senator Finch introduced the following resolution:

Whereas, The work of the special session of the Twenty-second Legislature will require little labor in many of the committees, and the Senate having under pay ten committee clerks at a daily cost to the State of fifty dollars, and it being evident that all of said clerks are not necessary to the future legislation of this body, and

Whereas, It is the sense of the Senate that at least one-half of the per diem paid out to said clerks should be saved to the State, therefore be it

Resolved, That the president of the Senate is instructed hereby to discharge five of said committee clerks, to take effect from March 25.

Senator Ingram moved that the resolution be referred to the committee on Contingent Expenses, which prevailed by the following vote:

YEAS—18.

Atlee,	Ingram,
Burney,	Johnson,
Clark,	Lubbock,
Clemens,	McKinney,
Carter,	O'Neal,
Cranford,	Page,
Glasscock,	Pope,
Garwood,	Searcy,
Harrison,	Townsend.

NAYS—12.

Crane,	Potter,
Finch,	Seale,
Frank,	Simkins,
Kearby,	Stephens,
Kimbrough,	Sims,
Mott,	Weisiger

The following message was received from the House of Representatives:

House of Representatives }
Twenty-Second Legislature, }
Austin, Texas, March 24, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—I am directed by the House to inform you that the House has refused to concur in Senate amendments to the House "Free Silver Resolution," and ask for a conference committee, and has appointed the following as such committee on the part of the House:

Messrs. Cochran, Martin of Hood, McKinney, Connellee and Hamblen.

Also the following resolution, providing for the location of the courts of Civil Appeals in the State of Texas.

Respectfully,

Geo. W. Finger,
Chief Clerk House of Representatives.

Senator Stephens moved that the Senate recede from its amendment to the House Free Silver Resolution.

Debated by Senators Stephens Kearby, Cranford, Finch and O'Neal in favor of Senator Stephen's motion, and Senators Lubbock, Crane, Carter, Johnson, Searcy and Mott against the same.

Senator Searcy moved to indefinitely postpone the consideration of the resolution.

Motion to postpone having precedence the yeas and nays were called for and it was lost by the following vote:

YEAS—4.

Garwood,	Searcy,
Seale,	Sims.

NAYS—27.

Atlee,	Kimbrough,
Burney,	Lubbock,
Clark,	McKinney,
Clemens,	Mott,
Crane,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Simkins,
Glasscock,	Stephens,
Harrison,	Tyler,
Ingram,	Townsend,
Johnson,	Weisiger.
Kearby,	

Question recurring upon Senator Stephens motion that the Senate recede from its amendment, to the concurrent resolution, it was lost by the following vote:

YEAS—12.

Burney,	Kearby,
Clark,	Kimbrough,
Cranford,	McKinney,
Finch,	O'Neal,

Pages 55 through 60 are missing in the original journal

Frank,
Glascock,

Simkins,
Stephens.

NAYS—19.

Atlee,
Clemens,
Crane,
Carter,
Garwood,
Harrison,
Ingram,
Johnson,
Lubbock,

Mott,
Potter,
Page,
Pope,
Seale,
Searcy,
Sims,
Tyler,
Townsend.
Weisiger.

Senator Lubbock moved that the Senate concur in the House request for a conference committee. Adopted.

The chair laid before the Senate House Concurrent Resolution (received this morning) providing for the location of the courts of civil appeals in the state of Texas.

Resolution read.

Senator Carter offered the following amendment:

Strike out "by ballot."

Adopted.

The resolution, as amended, was lost by the following vote:

YEAS—2.

Glascock,

Simkins.

NAYS—28.

Atlee,
Burney,
Clark,
Clemens,
Crane,
Carter,
Cranford,
Finch,
Frank,
Garwood,
Harrison,
Ingram,
Johnson,
Kearby,

Kimbrough,
Lubbock,
McKinney,
Mott,
O'Neal,
Potter,
Page,
Pope,
Seale,
Searcy,
Stephens,
Sims,
Tyler.
Weisiger.

By consent Senator Cranford introduced a bill to be entitled an act to amend an act entitled an act to define trusts and to provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them and to promote free competitions in the state of Texas. Approved March 30th, 1889.

Read first time and referred to committee on State Affairs

By consent, the following committee reports were handed in:

COMMITTEE ROOM, }
Austin, March, 23, 1892. }

Hon. Geo. C. Pendleton, President of The Senate:

Sir--Your Judiciary committee No. 1, to whom was referred

Senate bill No. 13, being "A bill to be entitled an act to repeal article 1085 [a], chapter 16, title 26 of the revised civil statutes of Texas.

Have had the same under consideration, and am instructed to report the same back to the Senate with the recommendation that it do pass.

W. H. Pope, Chairman.

COMMITTEE ROOM, }
Austin, March, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir--Your committee on Judiciary No 1, to whom was referred,

Senate bill No. 26, being a bill to be entitled "An act to prevent unlawful agreements and combinations in restraint of trade and providing punishment therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with recommendation that it do pass, with the accompanying amendments.

Pope, Chairman.

The amendments are as follows:

Section 2. Any two or more persons firms or corporations engaged in the insurance business who shall enter into any agreement or combination, either in writing or otherwise, for the purpose of increasing rates of insurance, shall be guilty of a misdemeanor and shall be punished as herein provided.

Section 3. Any two or more persons, firms or corporations other than railway corporations engaged in business of common carriers, who shall in writing or otherwise, enter into any agreement or combination to increase the cost of carrying in which they may be engaged, shall be deemed guilty of a misdemeanor and punished as herein provided.

Section 4. (Make section 2 of printed bill section 4).

Section 5. In prosecutions under this act it shall be sufficient to prove that a trust or combination as defined herein exists, and that the defendant belonged to it or acted for or in con-

nection with it, without proving all members belonging to it, or proving or producing any article of agreement or any written instrument on which it may have been based, or that it was evidenced by any written instrument at all. The character of the trust or combination alleged may be established by proof of its general reputation as such.

Section 8. That chapter 117 of the general laws of the Twenty-first Legislature, approved March 30, 1890, be and the same is hereby repealed.

On motion of Senator Stephens the Senate adjourned to 10 o'clock tomorrow morning.

ELEVENTH DAY.

SENATE CHAMBER,
TWENTY-SECOND LEGISLATURE, }
Austin, Friday, March 25, 1892.

Senate met pursuant to adjournment.

Lieutenant-Governor Pendleton in the chair.

Roll called.

Quorum present.

The following Senators answering to their names:

PRESENT—29.

Burney,	Lubbock,
Clark,	McKinney,
Clemens,	Mott,
Crane,	O'Neal,
Carter,	Potter,
Cranford,	Page,
Finch,	Pope,
Frank,	Seale,
Glasscock,	Searcy,
Garwood,	Simkins,
Harrison,	Stephens,
Ingram,	Sims,
Johnson,	Townsend,
Kearby,	Welsiger.
Kimbrough,	

Prayer by the Chaplain Dr. Smoot.

Pending the reading of the Journal, on motion of Senator Stephens the further reading of the same was dispensed with.

The following reports were handed in from their respective committees:

COMMITTEE ROOM, }
Austin, March 25, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your Judiciary committee, No. 1, to whom was referred

Senate bill No. 15, being a bill to be entitled "An act to repeal article 2461 title 45 of the revised civil statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Pope, Chairman.

COMMITTEE ROOM, }
Austin, March 25, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Judicial Districts, to whom was referred

Senate bill No. 27, being a bill to be entitled "An act to organize and establish the Twenty-first Judicial District, to fix the times of holding court therein and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate, with the recommendation that it do pass

Townsend, Chairman.

COMMITTEE ROOM, }
Austin, March 25, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Judicial Districts, to whom was referred

Senate bill No. 18, being a bill to be entitled "An act to divide the State of Texas into three separate Judicial districts and to provide for and establish a Court of Civil Appeals in each of said districts, and to prescribe the time for holding court in each of said districts,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that the substitute Senate bill accompanying this report be passed by filing in the blanks in sections 2, 3 and 4, the places for holding the Courts of Civil Appeals, and by filling the blanks in sections 5, 6 and 7, the territory to be returnable to each of said courts.

Townsend, Chairman.

COMMITTEE ROOM, }
Austin, March 24, 1892. }

Hon. Geo. C. Pendleton, President of the Senate:

Sir—Your committee on Engrossed